

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WILLIAM C. DUFFELMEYER, MICHAEL  
WALTHER, STEVEN HEISLER, JEFF NARDI,  
STEPHEN M. CARPINIELLO, EDWARD ARCE,  
RALPH TANCREDI, PETER T. DeVITTORIO,  
MICHAEL MARINELLI, and ARTHUR  
MARINELLI,

Plaintiffs,

- against -

LAWRENCE MARSHALL, individually, DAVID  
HALL, individually, and the TOWN/VILLAGE OF  
HARRISON, NEW YORK,

Defendants.  
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**NOTICE OF MOTION**

**Civil Action No. 07-2807  
(WP4) (MDF)**

PLEASE TAKE NOTICE that upon the annexed affidavit of Mark N. Reinharz and exhibit thereto and Memorandum of Law and all other papers filed herein, the Defendants, David Hall, Lawrence Marshall and Town/Village of Harrison, by their attorneys, Bond Schoeneck & King, PLLC, will move before this Court before the Honorable Mark D. Fox, United States Magistrate Judge for the Southern District of New York, 300 Quarropas Street, White Plains, New York 10601 on a date and time to be determined by the Court for or an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the complaint and/or an order granting the individual defendants immunity from suit and any other relief this Court deems appropriate, equitable and proper.

PLEASE TAKE FURTHER NOTICE that any answering papers must be filed by a date set by the Court.

Dated: Garden City, New York  
May 30, 2007

Respectfully submitted,

Bond, Schoeneck & King, PLLC

s/Mark N. Reinharz  
By: Mark N. Reinharz (6201)  
Attorneys for Defendants,  
1399 Franklin Avenue  
Suite 200  
Garden City, New York 11530  
(516) 267-6320

To:

Jonathan Lovett, Esq.  
Lovett & Gould  
222 Bloomingdale Road  
White Plains, NY 10605

## CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2007, the foregoing document was filed with the Clerk of the Court and served in accordance with the Federal Rules of Civil Procedure, and/or the Southern District's Local Rules, and/or the Southern District's Rules on Electronic service upon the following parties and participants:

Jonathan Lovett, Esq.  
222 Bloomingdale Road  
White Plains, New York 10605  
Attorney for Plaintiffs

s/ Mark N. Reinharz  
Mark N. Reinharz (6201)  
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